



**BRUCE C. TRUESDALE, P.C.**  
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Order Filed on February 21, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

ROSANA PENA

Debtor.

Case No. 22-15309 (ABA)


Chapter 13

HEARING DATE: February 20<sup>th</sup> @ 10:00 a.m.

**ORDER APPROVING SECURED POST-PETITION FINANCING IN THE FORM OF  
A SUBORDINATE NOTE AND MORTGAGE**

The relief set forth on the following pages, numbered two (2) is **ORDERED**

**DATED: February 21, 2024**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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ORDER APPROVING SECURED POST-PETITION FINANCING IN THE FORM OF A  
SUBORDINATE NOTE AND MORTGAGE

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The Court having reviewed the debtor's motion to approve Secured Post-Petition Financing in the Form of a Subordinate Note and Mortgage on debtor's property located at 719 Rancocas Avenue Riverside, NJ and the Court having considered the debtor's motion and any opposition thereto, and good and sufficient cause appearing therefrom for the entry of this order, it is hereby:

X The debtor is authorized to enter into the agreement for a Subordinate Note and Mortgage on debtor's real property located at 719 Rancocas Avenue Riverside, New Jersey, a copy of which has been docketed.

1) The Subordinate Note and Mortgage must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the subordinate note and mortgage were not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to it's claim. Absent the filing of a Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a *Modified Chapter 13 Plan and Motions* within 14 days of consummation of the execution of the subordinate note and mortgage. If the subordinate note and mortgage results

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in material changes in the debtor's expenses, the debtor must also file amended Schedules I and J within 14 days of the date of this Order; and

4) There is no order requiring the debtor to cure post-petition arrears through the Plan.

5) If fees and costs related to loss mitigation are sought by the debtor's attorney, an Application for Compensation in compliance with D.N.J. LBR 20'6-1 must be filed;

\_\_\_ The Motion for Authorization for Secured Post-Petition Financing in the Form of a Subordinate Note and Mortgage is Denied.

In re:  
Rosana Pena  
Debtor

Case No. 22-15309-ABA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Feb 21, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 23, 2024:

| Recip ID | Recipient Name and Address                                |
|----------|---|
| db       | + Rosana Pena, 719 Rancocas Ave, Riverside, NJ 08075-4112 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 23, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 21, 2024 at the address(es) listed below:

| Name                | Email Address   |
|---------------------|---|
| Andrew B Finberg    | ecfmail@standingtrustee.com   |
| Bruce C. Truesdale  | on behalf of Debtor Rosana Pena brucectruesdalepc@gmail.com bctpccf@gmail.com;r49787@notify.bestcase.com            |
| Denise E. Carlon    | on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com  |
| Isabel C. Balboa    | on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com                   |
| John R. Morton, Jr. | on behalf of Creditor ACAR Leasing LTD d/b/a GM Financial Leasing ecfmail@mortoncraig.com mortoncraigecef@gmail.com |
| U.S. Trustee        | USTPRegion03.NE.ECF@usdoj.gov   |

District/off: 0312-1

User: admin

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Date Rcvd: Feb 21, 2024

Form ID: pdf903

Total Noticed: 1

William E. Craig

on behalf of Creditor ACAR Leasing LTD d/b/a GM Financial Leasing wcraig@egalawfirm.com mortoncraigcf@gmail.com

TOTAL: 7